unionism, but a large body of opinion would at the same time give to the States "hunting licenses" to make unionization difficult if not impossible, and by so doing, to create pockets of low wages and long hours which undermine labor standards for the whole of the Nation.

Therefore, Mr. President, I believe that we should not make an exception in the case of the union shop, and that we should repeal 14(b).

Mr. President, that concludes my formal speech. I leave the issue to my colleagues and to the country; and now I am happy to yield to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, if it is within the allowable procedure at this time, could I have 1 minute to comment?

Mr. THURMOND. Mr. President, I ask unanimous consent that the Senator from Illinois be permitted to yield to the Senator from West Virginia for a question, if that is his purpose.

Mr. RANDOLPH. I thank the Senator.

Mr. THURMOND. Without losing my right to the floor, and with the understanding that when I resume, it will not be considered a second speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. I thank both the Senator from South Carolina and the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I am most interested in the pertinent comment of the Senator from Illinois. I refer to his discussion of the earlier acts which came in the thirties, which have meant much, not only to labor, but to business as well. This is true because there has come about a partnership between management and labor through acts like the fair labor standards legislation.

I remember very well when the opponents of the Fair Labor Standards Act came before the Labor Committee of the House of Representatives, of which I was then a member. Those persons maintained, in effect, that if such legislation became law, it would ruin the business structure of America.

History shows that those fears have not been realized. Unfortunately, the same type of opposition confronted other measures which were enacted into law during the administration of Franklin D. Roosevelt. I compliment the senior Senator from Illinois not only for pointing out the basic issue with which we are now faced, but for his very proper references to the pioneering which has given to America a basis, not for misunderstanding, but for understanding. Business and industry, I repeat, profited by the enactment of the legislation which some segments of business and industry opposed in the thirties.

Mr. DOUGLAS. I thank the Senator from West Virginia very much, and I again express my appreciation to the Senator from South Carolina for yielding the floor. I hope I have given him a little rest, so that he may pursue his arguments with even greater strength than otherwise. I understand that my remarks will be printed before or at the conclusion of his.

Mr. THURMOND. Mr. President, I need no rest. I was happy to accommodate the senior Senator from Illinois, however. I am always glad to accommodate him, even though I frequently disagree with him.

Mr. DOUGLAS. Had the Senator needed the rest, I would gladly have given it to him. I deeply appreciate his kindness to me.

During the delivery of Mr. THURMOND's speech,

Mr. THURMOND. Mr. President, I ask unanimous consent that I may yield to the Senator from Michigan [Mr. HART] without losing my right to the floor, that his remarks will appear elsewhere in the RECORD, and that upon my resumption it will not be considered a second speech by me on the same legislative day.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENT OF SECURITIES ACT OF 1933

Mr. HART. Mr. President, I ask that the Chair lay before the Senate a bill coming over from the House, H.R. 7169.

The PRESIDING OFFICER laid before the Senate H.R. 7169, an act to amend the Securities Act of 1933 with respect to certain registration fees, which was read twice by its title.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. HART. Mr. President, H.R. 7169 is identical with S. 1707, a bill to amend 6(b) of the Securities Act of 1933, which passed the Senate yesterday.

I move the adoption of H.R. 7169.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to; and the bill (H.R. 7169) was ordered to a third reading, read the third time, and passed.

Mr. HART. Mr. President, I ask unanimous consent that the action of the Senate yesterday in passing S. 1707 be reconsidered and that S. 1707 be indefinitely postponed.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the vote by which the bill (S. 1707) passed will be reconsidered and S. 1707 will be indefinitely postponed.

REPEAL OF SECTION 14(b) OF THE NATIONAL LABOR RELATIONS ACT, AS AMENDED

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] that the Senate proceed to the consideration of the bill (H.R. 77) to repeal section 14(b) of the National Labor Relations Act, as amended, and section 703(b) of the Labor-Management Reporting Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended.

During the delivery of Mr. THURMOND's speech,

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, will the Senator from South Carolina yield to me without losing any of his rights, with the understanding that on his resumption, his speech not be counted as a second speech, and without his rights being in any way considered abridged?

Mr. THURMOND. I yield to the majority leader with that understanding.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the conclusion of the prayer and the disposition of the Journal on Friday, the time thereafter be equally divided between the minority and majority leaders prior to a vote at 1 o'clock.

The PRESIDING OFFICER. Is there objection?

Mr. RUSSELL of Georgia. Mr. President, I did not understand the unanimous-consent request. Is the Senator still proposing to vote by 1 o'clock on Friday?

Mr. MANSFIELD. Yes; and, furthermore, that the time consumed in that period is not to be considered as a second speech on the pending business, whatever the pending business really is.

The PRESIDING OFFICER. Is there objection? If not, it is so ordered.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That the Senate proceed to vote on the motion to lay on the table (to be made by the Senator from Montana [Mr. MANSFIELD]), the motion to proceed to the consideration of H.R. 77, an act to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended, at 1 o'clock p.m. on Friday, October 8, and that the time for debate on the motion following the prayer and approval of the Journal be equally divided and controlled respectively by the majority and minority leaders.

Ordered further, That speeches made before 1 o'clock p.m. on that day not be counted as a speech on the pending question.

During the delivery of Mr. THURMOND's speech,

Mr. THURMOND. Mr. President, I ask unanimous consent that I may yield to the able, distinguished, and pretty Senator from Maine [Mrs. SMITH] without losing my right to the floor, with the understanding that her remarks will appear elsewhere in the RECORD; and that upon my resumption it will not be considered a second speech on this subject on the same legislative day.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

THE DOMINICAN REPUBLIC CRISIS—RIGHT OF SENATORS TO EXPRESS THEIR OPINIONS

Mrs. SMITH. Mr. President, I want to thank the distinguished Senator, my good friend from South Carolina, for his eloquent words.

Mr. President, recently the distinguished chairman of the Committee on Foreign Relations, the able junior Senator from Arkansas, made some observations in this Chamber critical of the intervention of the United States in the Dominican Republic crisis. For making this criticism, he was, in turn, severely criticized by many others. That criticism was not limited to disagreement with him on the views he expressed. Instead it criticized him for even expressing his dissent.

I very decidedly disagree with his criticism of the action of President Johnson on the Dominican Republic crisis. I think the President acted courageously, wisely—and prudently. I think that for his action, we can thank Lyndon Johnson that there is not a second Castro in the Western Hemisphere and that the Dominican Republic is not today a sister Communist nation to Communist Cuba. I believe that Americans overwhelmingly feel this way and disagree with the junior Senator from Arkansas.

But I not only defend the right of the junior Senator from Arkansas to express his deeply felt views and his sharp dissent. I admire him for speaking his mind and his conscience. I admire him for the courage to run counter to conformity and the overwhelming majority. God forbid that the U.S. Senate ever become so shackled by conformity or so dominated by a tyranny of the majority that any Senator has to become a mental mute with his voice silenced for fear of being castigated for expressing convictions that do not conform with the overwhelming majority.

Mr. THURMOND. Mr. President, I ask unanimous consent that I may yield to the able and distinguished senior Senator from Mississippi [Mr. EASTLAND], with the understanding that I shall not lose my right to the floor, that his remarks will appear elsewhere in the RECORD, and upon my resumption, it will not be considered a second speech by me on this subject.

Mr. LONG of Louisiana. Mr. President, reserving the right to object, for for how long a period of time does the Senator from Mississippi wish to speak?

Mr. EASTLAND. A few minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

REPEAL OF SECTION 14(b) OF THE NATIONAL LABOR RELATIONS ACT, AS AMENDED

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] that the Senate proceed to the consideration of the bill (H.R. 77) to repeal section 14(b) of the National Labor Relations Act, as amended, and section 703(b) of the Labor-Management Reporting Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended.

During the delivery of Mr. THURMOND's speech,

Mr. EASTLAND. Mr. President, I am opposed to the repeal of section 14(b) of the National Labor Relations Act, as amended. Since 1947 this provision that was adopted in the Taft-Hartley Act has been a Magna Carta of freedom of choice on the part of the States and individuals in regard to union activities. It expresses a constitutional principle of rights that are reserved to the States and to the individual citizens. Even though only 19 States have now enacted right-to-work statutes or provisions in State constitutions, the repeal of section 14(b) would involve rights that are now inherent in all 50 States of the Union.

Compulsory unionism is wrong, not only from a moral standpoint, but also from a constitutional and legal standpoint. I believe the figures are correct that of some 70 million workers in the United States, only 17 or 18 million actually belong to labor unions. The 17 or 18 million who belong to the unions, for the most part, are compelled against their will to follow the direction and dictates of a handful of labor leaders, who are fast becoming potent and powerful political bosses, due to the fact that they hold the balance of economic life and death over the members of the union; and if the Federal Government makes it possible to compel every individual working for an employer that is unionized to join that union, this power over employment and the economic life of the individual workingman will become absolute.

What was said in the conference report adopting section 14(b) is just as true today as it was the day it was written. The report says:

> Under the House bill there was included a new section 13 of the National Labor Relations Act, to assure that nothing in the act was to be construed as authorizing any closed shop, union shop, maintenance of membership, or other form of compulsory unionism agreement in any State where the execution of such agreement would be contrary to State law. Many States have enacted laws or adopted constitutional provisions to make all forms of compulsory unionism in those States illegal. It was never the intention of the National Labor Relations Act, as is disclosed by the legislative history of that act, to preempt the field in this regard so as to deprive the States of their powers to prevent compulsory unionism. Neither the so-called closed shop proviso in section 8(3) of the existing act nor the union shop and maintenance of membership proviso in section 8(a)(3) of the conference agreement could be said to authorize arrangements of this sort in States where such arrangements were contrary to the State policy. To make certain that there should be no question about this, section 13 was included in the House bill. The conference agreement, in section 14(b), contains a provision having the same effect.

Mr. President, if the present Congress takes positive action by repeal of section 14(b), it will be a premeditated and deliberate attempt to preempt the field in this regard so as to deprive the States of their powers to prevent compulsory unionism. If this demand of union labor leaders is met, it will constitute a new variety of "yellow dog" contract, and the full circle will have been encompassed. From an original situation whereby an employer prohibited any member of a union from working in his business, now the employer is prohibited, in turn, from hiring any individual to work for him who does not belong to a union. From the standpoint of the individual, compulsory unionism is not more nor no less than another form of slavery—economic slavery of the worst kind, and one that has a profound effect not only upon the individual himself, but upon the welfare of his wife and family and those that are dependent upon him.

In considering legislation such as this which is now proposed, it is almost impossible to get an expression of opinion from those who are most closely involved in the issue. Who speaks for the 53-odd million workers in America who are not organized into and do not belong to unions? Who speaks for those in unions who believe in unions but are not satisfied with the manner in which their own union is operated, but who are helpless to raise their voices or to take action, due to the plenary power of the union leaders in punishing those who step out of line? Who speaks for those who are now in the unions and do not believe in unions, but cannot express themselves? If the united action of all the powers in organized labor have been able to achieve a membership of 17 or 18 million out of a total labor force of 70 million workers, it is obvious on its face that there are many in the working force who, for reasons of their own, do not care to belong to unions, and yet we all agree that voluntary union for the purpose of collective bargaining is an agency of good for both the workingman and the employer. The sound economic welfare of this country requires that the Federal Government keep it this way and leave it to the individual States to decide for themselves whether or not they desire to establish a union shop or closed shop within a given space.

Mr. President, the specious argument is made that requiring a worker to contribute dues and assessments to a union is not tantamount to requiring him to join the union itself. Literally millions of union members do nothing insofar as the union is concerned but pay the dues that are checked off. It is the money that makes the union powerful, and it is the money that is sought to be exacted by the union leaders through the abolition of right-to-work laws; and regardless of the decision in the Street case, until many more court decisions of a clarifying and complementary nature are rendered, the money is going to be used for political purposes and a wide variety of other purposes that could be inimical to the desires, wishes, principles, and beliefs of the individual who is forced to contribute this money to the union against his will. Compulsory collection of dues and assessments is absolutely equal to compulsory membership in a union, and whether he likes it or not, the person who contributes this money would be a fool not to exercise whatever prerogatives he might get in return for the money.

It was former Supreme Court Justice Cardozo who said:

> There is no freedom without choice. The mind is in chains when it is without the opportunity of choice.